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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 CITY OF GRASS VALLEY,) 02:04-cv-149-GEB-DAD
11 Plaintiff,)
12 v.) ORDER
13)
14 NEWMONT MINING CORPORATION, a)
15 corporation; NEWMONT USA LIMITED,)
16 a corporation; NEWMONT NORTH)
17 AMERICA EXPLORATION LIMITED, a)
18 corporation; NEWMONT GOLD COMPANY,)
a corporation; NEWMONT NORTH)
AMERICA LIMITED, a corporation;)
NEWMONT EXPLORATION LIMITED, a)
corporation,
Defendants.)

)

19 On February 28, 2005, pursuant to a stipulation by the
20 parties, the Court granted a six-month stay of this litigation from
21 February 1, 2005, through August 1, 2005, in order for the parties to
22 engage in settlement negotiations under the direction of Magistrate
23 Judge John F. Moulds. On November 28, 2005, the parties filed a Joint
24 Status Report stating "[t]he parties wish to continue the existing
25 stay for an additional 4 (four) months" in order for "[t]he parties
26 [to] continue to pursue potential resolution of this matter."
27 Pursuant to the parties' November 28 request, this action is stayed
28 for an additional four months, commencing December 5, 2005, and

1 terminating April 5, 2006. A status conference will be held on May
2 15, 2006, at 9:00 a.m. to re-set the Rule 16 scheduling dates. The
3 parties are directed to file a joint status report no later than
4 May 1, 2005.¹

5 IT IS SO ORDERED.

6 DATED: December 5, 2005

7 /s/ Garland E. Burrell, Jr.
8 GARLAND E. BURRELL, JR.
United States District Judge

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25 ¹ The failure of one or more of the parties to participate in
26 the preparation of the Joint Status Report does not excuse the other
27 parties from their obligation to timely file a status report in
28 accordance with this Order. In the event a party fails to participate
as ordered, the party timely submitting the status report shall include
a declaration explaining why it was unable to obtain the cooperation of
the other party or parties.